

**MEMO ENDORSED**

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 DATE FILED: 2/25/2021

**UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK**

Kevin Cadena,

Plaintiff,

– against –

Capital One Bank (USA), National  
 Association, TransUnion LLC and Equifax  
 Information Services, LLC,  
 Defendants.

Case No. 1:21-cv-01174

**NOTICE OF SETTLEMENT AS TO  
 EQUIFAX INFORMATION  
 SERVICES, LLC ONLY**

Plaintiff Kevin Cadena respectfully submits this Notice of Settlement to inform the Court as follows:

1. Plaintiff and Defendant Equifax Information Services, LLC have reached an agreement in principle and are in the process of finalizing a confidential settlement agreement.
2. Plaintiff will file a Stipulation of Dismissal once the terms of the settlement agreement have been completed.
3. Accordingly, Plaintiff respectfully requests that Defendant Equifax Information Services, LLC be excused from all future appearances and deadlines until this matter is dismissed.

Dated: February 25, 2021

**Law Offices of Robert S. Gitmeid & Associates, PLLC**


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 Counsel for Plaintiff

It is hereby ORDERED that the case against Defendant Equifax Information Services, LLC is DISMISSED with prejudice. The Clerk of Court is respectfully directed to terminate Defendant Equifax Information Services LLC.

Within 30 days of this order, the parties may apply to reopen this case as to Defendant Equifax Information Services, LLC. Any such application must show good cause for holding the case open in light of the parties' settlement and must be filed within 30 days. Any request filed after 30 days or without a showing of good cause may be denied solely on that basis.

Additionally, if the parties wish for the Court to retain jurisdiction to enforce their settlement agreement, they must submit within the same 30-day period: (1) their settlement agreement to the Court in accordance with Rule 6.A of the Court's Individual Practices and (2) a request that the Court issue an order expressly retaining jurisdiction to enforce the settlement agreement. See *Hendrickson v. United States*, 791 F.3d 354 (2d Cir. 2015).

SO ORDERED.

 2/25/2021

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE